

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
February 8, 2007

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control ("EQC").
- II. **SUBJECT:** Administrative and Consent Orders issued during the period December 1 – December 31, 2006.
- III. **FACTS:** For the period December 1, 2006 through December 31, 2006 EQC issued twenty-eight (28) Consent Orders with total assessed civil penalties in the amount of \$115,940.00. One (1) Administrative Order was issued with a total assessed penalty of \$8,825.00.

Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
Hazardous Waste	0	\$ 0	0	\$ 0
Solid Waste	0	0	2	31,300.00
UST Program	1	8,825.00	4	2,500.00
SUBTOTAL	1	8,825.00	6	\$ 33,800.00
Water				
Drinking Water	0	\$ 0	9	\$ 13,140.00
Water Pollution	0	\$ 0	7	29,300.00
SUBTOTAL	0	\$ 0	16	\$ 42,440.00
Air Quality				
SUBTOTAL	0	\$ 0	6	\$ 39,700.00
TOTAL	1	\$8,825.00	28	\$ 115,940.00

ANALYSIS: During the reporting period, Underground Storage Tank Enforcement issued an Administrative Order against Respondent, Ernest W. Prosser, III. The Respondent is the owner and operator of the EZ E Convenience Store located in Kingstree, SC. Violations against the Respondent include failure to provide an adequate release detection method; failure to demonstrate financial responsibility, and failure to supply records to the Department upon request. This facility is currently closed; however, product remains in the four (4) underground storage tanks. In order to comply with the order, the Respondent must conduct a

tank tightness test and provide an adequate release detection method or empty the underground storage tanks to less than one inch of product and submit documentation of financial responsibility. A civil penalty in the amount of eight thousand eight hundred twenty-five dollars (\$8,825.00) was assessed.

Solid Waste Enforcement entered into a Consent Order with Respondent, Greer Municipal Solid Waste Transfer Station. The Respondent did not follow the approved design plans submitted with the permit application; has had recurring violations involving litter, odor and cleanliness; and allowed leachate to leave the tipping floor area and flow off of the driveway onto adjacent grassed areas. The Respondent also discharged used oil into the environment. A plan that addresses compliance with the violations must be submitted for review and approval to the Department. A civil penalty in the amount of thirty-one thousand dollars (\$31,000.00) was assessed.

Of the nine Consent Orders issued during the reporting period by Drinking Water Enforcement, seven were for swimming pool and spa violations. Total assessed penalties for the seven orders were thirteen thousand one hundred forty dollars (\$13,140.00).

Water Pollution Enforcement entered into a Consent Order with the Town of Lyman (Respondent) who is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent violated the Pollution Control Act for exceedances of the permitted discharge limits of fecal coliform. A corrective action plan addressing compliance with the fecal coliform limits that must also contain an implementation schedule must be submitted to the Department for approval. A civil penalty in the amount of five thousand dollars (\$5,000.00) was assessed.

Bureau of Air Quality Enforcement entered into a Consent Order with Respondent, Phillips Industrial Services Corporation, operator of a sandblasting and painting operation. The Respondent failed to submit an application for a Title V Air Quality Permit within 12 months of beginning operation of the facility and becoming a major source. The Respondent must obtain all necessary permits before installing, operating, or modifying any source of air contaminants. A civil penalty in the amount of nine thousand dollars (\$9,000.00) was assessed.

Of the twenty-eight (28) Consent Orders issued by EQC enforcement programs during the reporting period, (28) have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

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Deputy Commissioner
Environmental Quality Control